

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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BANK OF MONTREAL,

Plaintiff,

-against-

OPTIONABLE, INC., MF GLOBAL INC.,
KEVIN P. CASSIDY, EDWARD J. O'CONNOR
MARK A. NORDLICHT, RYAN B.
WOODGATE, SCOTT CONNOR and
JOSEPH D. SAAB,

Defendants.
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No. 1:09-cv-07557 (GBD)

NOTICE OF MOTION TO DISMISS CROSS-CLAIMS

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law, in Support of Mark Nordlicht's Motion to Dismiss the Cross-Claims filed by Scott Connor, defendant Mark Nordlicht ("Nordlicht") hereby moves this Court, before the Honorable George B. Daniels, United States District Judge for the Southern District of New York, at the United States Courthouse at 500 Pearl Street, New York, New York 10007 for an order dismissing with prejudice all of Mr. Connor's cross-claims against defendant Nordlicht and granting such other relief as the Court deems just and proper. Nordlicht submits this motion subject to and without waiving any arguments concerning other defenses that may be raised subsequently in the above-captioned actions or any other actions consolidated before this Court.

Dated: New York, New York
December 23, 2009

CURTIS, MALLET-PREVOST,
COLT & MOSLE LLP

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